

REMARKS

In the Office Action of December 30, 2004, claims 1-19 were rejected as unpatentable as anticipated by a newly cited reference Waller et al. US2001/0051922 and the action was made a final action. It was said that the action had to be made final because Applicant's amendment necessitated the new ground of rejection.

In the last reply, Applicant distinguished the claims from the references on two grounds: 1) first the references didn't show the same type of local network and 2) the references did not show the same type of operating devices connected by the network.

The Examiner has now substituted a reference which shows use of Irda ports and describes use of Bluetooth, but in other respects the reference is even farther away in not providing the same type of operating units as recited in the claims.

In particular the Examiner reads Applicant's control unit on a handheld PDA or a cell phone in Waller. This claim reading is strongly believed to be an erroneous claim reading.

THE CONTENT OF THE WALLER REFERENCE

Waller discloses a PDA (Fig. 3, para. 0060) or a cell phone (Fig. 6, para. 0067) for sending a request through an Irda port 62 to an ATM machine (Fig. 5, 14a, Fig. 1, 214a).

The ATM machine relays the request to a central controller or host (Fig. 1, 212) through a network (16, 116, 216). The network is not described in detail but the symbol in the drawings is the symbol used for the Internet or at least a wide area network.

The host or central computer then authorizes the ATM machine (the terminal) through the Internet to dispense money or take some other action.

In a second embodiment, Waller discloses a cell phone (Fig. 8). In the cell phone embodiment a call goes through a cell phone network with servers (not a local network) to a transceiver 122 in the host (Fig. 7) or to a transceiver 222a

in the ATM which has a telephone number (para. 0081). It travels miles as a signal and through servers even though the cell phone is near the ATM machine. The ATM machine then sends the request over the Internet or WAN to the central controller or host which then authorizes the transaction back through the Internet.

The Waller disclosure is about providing a user interface (the PDA or cell phone) to an ATM machine. The network 216 between the ATM and the host is typically a Wide Area Network (WAN) and not a wireless local network of less than 100 meters distance.

This user interface device in Waller compares to Applicant's I/O devices in claim 5 which include recitation of a cell phone. The user interface device of Waller does not compare to either of Applicant's cash handling device or control unit recited in claims 1 and 13.

The Office Action confuses the "control unit" claimed in claim 1 with the handheld PDA in Waller. Evidence of this at page 3, first paragraph where the Examiner references para. 0063 of Waller and Fig. 5 as showing that the control unit is right next to the ATM.

THE DISTINCTION OF CLAIMS 1 AND 13 OVER WALLER

Applicants do not consider their system control unit to compare to the handheld PDA because the system control unit must perform cash handling functions such as cash dispensing, providing for cash settlement, or monitoring maintenance information as well as providing commands to the cash handling device for operation of the cash handling device. The providing of commands is in the supervisory sense in which the host operates in Waller.

The present invention is designed to distribute cash handling functions for notes and coins and daily accounting functions among several machines in a proximity of 100 meters. In this regard, it is pointed out that in Waller it is not the system control unit which is within 100 meters. Waller's system control unit is the host, which would be located at a

bank remote from the ATM and often connected by a WAN wired network or possibly some wireless ATM's utilizing communication servers.

The objectives of the prior art and the present invention couldn't be more different from a system perspective. The only similarities are: 1) that ATM machines handle cash and 2) that it is proposed to communicate through a local wireless network. But in no instance does that user interface device (the PDA) in Waller perform system control unit or cash handling functions within the scope of the present claimed invention.

The Office Action misreads the units of the claimed invention on the units in the Waller reference. The cell phone or PDA, in fact, compares to neither of Applicant's cash handling device nor Applicant's system control unit except as to its communication of data through a wireless network.

The reading of both apparatuses of Applicant's claim 1 on the same paragraph [0021] in Waller (see page 2, sec. 2, 2d and 3d paras.) to support a rejection based on anticipation under 35 U.S.C. 102 is without any reasonableness. It is further difficult to see what rejection on Waller could be made under 35 U.S.C. 103 without further remarks by the Examiner.

Claim 1 recites that the control unit performs two functions: 1) at least one of the operations of accounting for cash dispensing, cash settlement, and monitoring maintenance information and 2) also providing commands for operation of the cash handling device.

Claim 1 also recites that the locally distributed network operates without intermediate servers and within an range of no more than approximately 100 meters. This distinguishes from Internet networks such as 16, 116 and 216 and the cellular phone networks in Waller which use servers.

Claim 13 has been amended similar to claim 1 to recite that the control unit performs at least one of the operations of cash dispensing, providing for cash settlement, and monitoring maintenance information.

Both Claim 1 and claim 13 have been amended in view of the new grounds of rejection to recite the operation of the system control unit with the cash handling device without needing authorization from a remotely located network host computer. This amendment was necessitated by the new ground of rejection, which should not have been made a final action.

As to the rejections of the dependent claims 5 and 18, the Office Action reads three different parts of the claims on the PDA in Waller. The PDA or cell phone in Waller only compares to the I/O devices of the present claim 5. And if this portion of the claims reads on the PDA or cell phone, then neither the system control unit nor the cash handling device of claim 1 read on the PDA or cell phone of Waller.

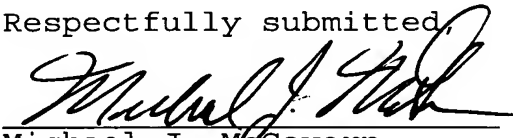
As to the rejections of claims 6-17, the Office Action has confused the communication links in the claims with different and non-analogous placement of the communication links in Waller between different types of operating units.

CONCLUSION

In view of the Amendment and Remarks, it is strongly believed that at least the finality of the last Office Action should be withdrawn. Reconsideration of the patent application is also respectfully requested. After the amendment, claims 1-19 are still pending and a Notice of Allowance for these claims is earnestly solicited.

Respectfully submitted,

By:


Michael J. McGovern
Quarles & Brady LLP
411 East Wisconsin Avenue
Milwaukee, WI 53202-4497
(414) 277-5725
Attorney of Record